

(II) STATE SPECIFICALLY THE FACTS ON WHICH THE COMPLAINT IS BASED; AND

(III) BE SUBMITTED TO THE SECRETARY OF THE BOARD.

(2) IF THE COMPLAINT IS MADE BY ANY PERSON OTHER THAN A MEMBER OF THE BOARD, THE COMPLAINT SHALL BE MADE UNDER OATH BY THE PERSON WHO SUBMITS THE COMPLAINT.

(C) HEARING; DISMISSAL.

IF THE BOARD FINDS THAT A COMPLAINT ALLEGES FACTS THAT ARE ADEQUATE GROUNDS FOR ACTION UNDER § 14-317 OF THIS SUBTITLE, THE BOARD SHALL ACT ON THE COMPLAINT AS PROVIDED UNDER § 14-319 OF THIS SUBTITLE. IF THE BOARD DOES NOT MAKE THAT FINDING, IT SHALL DISMISS THE COMPLAINT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 75 1/2, § 17(b) and, as it related to the requirement that a hearing be provided or that the charges be dismissed, (c).

In subsection (a) of this section, the express reference to a complaint "by a member" of the Board is added to clarify that the former reference to "any person, including an employee of the Board" included the Board itself.

In subsection (b)(2) of this section, the phrase "other than a member of the Board" is standard language added to clarify that a member of the Board who makes a complaint need not make it under oath.

Also in subsection (b)(2) of this section, the requirement that a complaint be "made under oath" is substituted for the former requirement that a complaint be "sworn". See § 1-202 of this article.

In subsection (c) of this section, the word "adequate" is added to clarify that the complaint may not be based on charges that former Art. 75 1/2, § 17(c) referred to as "unfounded or trivial".

Also in subsection (c) of this section, the reference to "grounds for action under § 14-317 of this subtitle" is substituted for the former list of specific complaints. This substitution clarifies that, in order for the Board to act on a complaint, it must be based on a charge that is actionable under § 14-317 of this subtitle.